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GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**DANIEL S. QUINN**  
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ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committee on  
WATER & LAND  
and  
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**

**Friday, March 27, 2015  
10:30 AM  
State Capitol, Room 325**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 23  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALUU,  
KOOLAUPOKO, OAHU, FOR THE USE, REPAIR, AND MAINTENANCE OF THE  
EXISTING SEAWALL**

House Concurrent Resolution 23 requests the authorization to issue a term, non-exclusive easement covering 31,266 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-7-011: seaward of 001, at Kahaluu, Koolau-poko, Oahu for use, repair, and maintenance of existing seawall constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources ("Department") supports this Administration concurrent resolution.**

The current owner of the abutting property, Kahaluu Pond, Inc., obtained a 30-year term easement from the Board of Land and Natural Resources ("Board") commencing from 1984. In view of the expiration date in 2014, the owner requested the Board issue a new 55-year term easement for the same purpose. As required by Section 171-53, HRS, the Board may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". At its meeting on October 11, 2013, under agenda item D-6, the Board approved the issuance of a term, non-exclusive easement for seawall purposes. In addition, the Board authorized the issuance of a right-of-entry to Kahaluu Pond, Inc. for seawall purposes until the execution of the easement document.

The Department hired the appraisal firm of Appraisal Hawaii, Inc. who determined the one-time payment fair market value of the easement is \$4,060.